

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Call to Order: Chair Donald W. Jones, on February 16, 2017 at 8:45 AM, in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Donald W. Jones, Chair (R)
Sen. Llew Jones, Vice Chair (R)
Rep. Tom Burnett (R)
Sen. Terry Gauthier (R)
Rep. Bradley Hamlett (D)
Sen. Lea Whitford (D)
Rep. Tom Woods (D)

Members Excused: None

Members Absent: None

Staff Present: Shauna Albrecht, Legislative Branch
Robert Miller, Legislative Branch
Abigail Konen, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary: Executive Action

00:00:36 Shauna Albrecht, Legislative Fiscal Division (LFD)

[EXHIBIT\(jeh34a01\)](#)

[EXHIBIT\(jeh34a02\)](#)

00:01:08 Chair D. Jones

EXECUTIVE ACTION

00:01:20 Vice Chair L. Jones

00:02:38 **Motion:** Vice Chair L. Jones moved that **MOTION 1 DO PASS.**

[EXHIBIT\(jeh34a03\)](#)

Discussion:

00:03:22 Robert Miller, Legislative Fiscal Division (LFD)

00:06:14 Vice Chair L. Jones

00:06:19 Nancy Hall, Office of Budget and Program Planning (OBPP)

00:07:45 Rep. Woods

00:08:06 Nancy Hall, OBPP

00:08:46 Rep. Burnett

00:09:01 Nancy Hall, OBPP

00:09:21 Robert Miller, LFD

00:09:34 Sen. Whitford

00:09:57 Nancy Hall, OBPP

00:11:15 Ken Bailey, Office of Public Instruction (OPI)

00:12:12 Rep. Woods

00:12:47 Ken Bailey, OPI

00:13:11 Nancy Hall, OBPP

00:13:51 **Vote:** Motion carried unanimously by voice vote.

00:14:03 Vice Chair L. Jones

00:14:19 **Motion:** Vice Chair L. Jones moved that **THE LANGUAGE AMENDMENT FOR HOUSE BILL 2 AS LISTED BE ADOPTED.**

[EXHIBIT\(jeh34a04\)](#)

Discussion:

00:14:36 Shauna Albrecht, LFD

[EXHIBIT\(jeh34a05\)](#)

00:18:10 Vice Chair L. Jones

00:19:36 **Motion:** Vice Chair L. Jones moved that **MOTION 2 BE AMENDED.**

Discussion:

00:20:12 Christine Hultin-Brus, Office of Budget and Program Planning (OBPP)

00:21:07 Vice Chair L. Jones

00:21:10 Chair D. Jones

00:21:19 Vice Chair L. Jones

00:21:38 Without objection, Vice Chair L. Jones withdrew the BE ADOPTED motion.

00:22:02 Rep. Woods

00:22:21 Vice Chair L. Jones

00:22:25 Nancy Hall, OBPP

[EXHIBIT\(jeh34a06\)](#)

00:22:43 Chair D. Jones

00:22:53 Nancy Hall, OBPP

00:23:33 Recess

00:29:56 Reconvene with Rep. Woods excused

00:30:04 Without objection, Vice Chair L. Jones withdrew MOTION 2 AND ALL AMENDMENTS

OFFICE OF PUBLIC INSTRUCTION

00:31:46 **Motion:** Vice Chair L. Jones moved that **DP 936 - REDUCE OIL AND GAS IMPACT FUND BASE AS LISTED ON SHEET BE ADOPTED.**

[EXHIBIT\(jeh34a07\)](#)

Discussion:

00:31:55 Robert Miller, LFD

00:32:14 Nancy Hall, OBPP

00:32:49 **Vote:** Motion carried unanimously by voice vote. Rep. Woods voted by proxy.

00:33:09 **Motion/Vote:** Vice Chair L. Jones moved that **DP 937 - OIL AND GAS DISTRIBUTION BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Woods voted by proxy.

00:33:46 Vice Chair L. Jones

00:33:48 Rep. Woods joined the meeting

00:34:40 **Motion:** Vice Chair L. Jones moved that **DP 618 - NATIONAL BOARD CERTIFICATION (RESTRICTED/OTO) AS LISTED ON THE SHEET WITH THE AMOUNTS LISTED ON THE SHEET BE ADOPTED.**

Discussion:

00:35:01 Robert Miller, LFD

00:36:02 Rep. Burnett

00:36:19 Nancy Hall, OBPP

00:36:43 **Vote:** Motion carried unanimously by voice vote.

00:36:53 **Motion/Vote:** Vice Chair L. Jones moved that **DP 6271 - AUDIOLOGICAL SERVICES (RESTRICTED/OTO) AS LISTED ON THE SHEET BE ADOPTED.** Motion carried unanimously by voice vote.

- 00:37:22 **Motion/Vote:** Vice Chair L. Jones moved that **DP 633 - FEDERAL GRANT AWARD ADJUSTMENTS FOR PROGRAM 6 AS LISTED ON THE SHEET \$500,000 IN EACH YEAR OF THE BIENNIUM FEDERAL SPECIAL REVENUE BE ADOPTED.** Motion carried unanimously by voice vote.
- 00:38:00 **Motion/Vote:** Vice Chair L. Jones moved that **DP 930 - GUARANTEE ACCOUNT ADJUSTMENT REFLECTING THE CURRENT AMOUNTS BE ADOPTED.** Motion carried unanimously by voice vote.
- 00:38:41 **Motion/Vote:** Vice Chair L. Jones moved that **DP 934 - FEDERAL GRANT AWARD ADJUSTMENTS FOR PROGRAM 9 \$1,000,000 IN FY 2018 AND \$2,000,000 IN FY 2019 AS LISTED ON SHEET BE ADOPTED.** Motion carried unanimously by voice vote.
- 00:39:16 **Motion/Vote:** Vice Chair L. Jones moved that **DP 938 - REDUCE STATE SCHOOL OIL AND GAS FUND BASE REFLECTING WHAT IS IN THE FUND BY THE AMOUNTS SHOWN ON THE SHEET BE ADOPTED.** Motion carried unanimously by voice vote.
- 00:39:43 **Motion:** Vice Chair L. Jones moved that **DP 9011 - K-12 BASE AID INFLATION (0.5%, 1.87%) BE ADOPTED.**

Discussion:

- 00:40:11 Rep. Burnett
00:40:34 Chair D. Jones
00:40:50 Vice Chair L. Jones
- 00:41:30 **Vote:** Motion carried unanimously by voice vote.
- 00:41:40 **Motion/Vote:** Vice Chair L. Jones moved that **DP 9131 - AT-RISK STUDENT PAYMENT TO REFLECT THE CHANGES OF THE NEW INFLATIONARY AMOUNTS (0.5%, 1.87%) AS LISTED ON SHEET BE ADOPTED.** Motion carried unanimously by voice vote.
- 00:42:19 **Motion/Vote:** Vice Chair L. Jones moved that **DP 9251 - AUDITING FEES LEGISLATIVE APPROVED OF \$100,000 IN EACH YEAR BE ADOPTED.** Motion carried unanimously by voice vote.
- 00:42:56 Vice Chair L. Jones
- 00:43:11 **Motion:** Rep. Woods moved that **DP 70 - MTDA INDIAN LANGUAGE PROGRAM (RESTRICTED/OTO) BE ADOPTED.**

Discussion:

- 00:43:29 Sen. Whitford
00:44:49 Vice Chair L. Jones
00:45:59 Rep. Hamlett
00:46:20 Rep. Burnett
00:46:40 Sen. Whitford

00:47:21 Chair D. Jones

00:48:06 **Vote:** Motion failed 3-4 by roll call vote with Rep. Hamlett, Sen. Whitford and Rep. Woods voting aye.

BOARD OF PUBLIC EDUCATION

00:48:15 Vice Chair L. Jones

00:49:08 **Motion/Vote:** Vice Chair L. Jones moved that **DP 4 - LEGAL FEES RESTRICTED/OTO BE ADOPTED**. Motion carried unanimously by voice vote.

EXHIBIT(jeh34a08)

00:50:19 **Motion/Vote:** Vice Chair L. Jones moved that **DP 5 - REDUCE UNUSED DEBT SERVICE BE ADOPTED**. Motion carried unanimously by voice vote.

COMMISSIONER OF HIGHER EDUCATION

00:50:44 Vice Chair L. Jones

00:52:19 **Motion:** Vice Chair L. Jones moved that **DP 203 - WICHE/WWAMI DENTAL PROGRAM FOR AMOUNTS SHOWN BE ADOPTED**.

00:52:31 Rep. Woods

00:52:42 **Vote:** Motion carried unanimously by voice vote.

00:52:55 **Motion/Vote:** Vice Chair L. Jones moved that **DP 301 - RESTORE FEDERAL GRANT PERSONAL SERVICES AUTHORITY AS LISTED BE ADOPTED**. Motion carried unanimously by voice vote.

00:53:22 **Motion:** Vice Chair L. Jones moved that **DP 401 - LEGISLATIVE AUDIT FIXED COST FOR THE COMMUNITY COLLEGE ASSISTANCE BE ADOPTED**.

Discussion:

00:54:00 Sen. Whitford

00:54:30 Vice Chair L. Jones

00:54:50 **Vote:** Motion carried unanimously by voice vote.

00:55:00 **Motion:** Vice Chair. L. Jones moved that **DP 601 - GEAR UP FEDERAL GRANT AUTHORITY FOR \$4,104,000 AS LISTED ON SHEET BE ADOPTED**.

Discussion:

00:55:19 Rep. Burnett

00:55:30 Vice Chair L. Jones

00:55:36 Shauna Albrecht, LFD

00:55:51 Rep. Burnett

00:56:22 Vice Chair L. Jones

00:57:00 Commissioner Clayton Christian, Office of the Commissioner of Higher
Education (OCHE)
00:57:21 Shauna Albrecht, LFD

00:57:44 **Vote:** Motion carried unanimously by voice vote.

00:57:55 **Motion:** Vice Chair L. Jones moved that **DP 905 - MOTORCYCLE SAFETY BE ADOPTED.**

Discussion:

00:58:16 Rep. Burnett
00:58:30 Shauna Albrecht, LFD
00:58:42 Rep. Burnett

00:58:49 **Vote:** Motion carried unanimously by voice vote.

00:59:00 **Motion/Vote:** Vice Chair L. Jones moved that **DP 906.A - LEGISLATIVE AUDIT FIXED COSTS (RESTRICTED) BE ADOPTED.** Motion carried unanimously by voice vote.

00:59:26 **Motion:** Vice Chair L. Jones moved that **DP 1003 - MBMG DATA PRESERVATION PROGRAM (OTO) AS LISTED IN THE PROGRAM BE ADOPTED.**

Discussion:

01:00:22 Rep. Burnett
01:00:36 Shauna Albrecht, LFD

01:00:54 **Vote:** Motion carried unanimously by voice vote.

01:01:06 Vice Chair L. Jones
01:01:32 Rep. Burnett
01:02:18 Shauna Albrecht, LFD
01:02:43 Chair D. Jones

01:03:28 **Motion:** Rep. Burnett moved that **DP 101 - REDUCTION TO PERSONAL SERVICES AND FTE BE ADOPTED.**

Discussion:

01:04:25 Vice Chair L. Jones

01:05:39 **Vote:** Motion failed 2-5 by roll call vote with Rep. Burnett and Rep. Woods voting aye.

01:06:11 **Motion:** Rep. Burnett moved that **DP 1009 - REBASE BE ADOPTED.**

Discussion:

01:06:44 Rep. Burnett
01:09:02 Vice Chair L. Jones
01:13:02 Rep. Woods

01:13:12 Rep. Burnett
01:14:50 Rep. Woods
01:14:57 Chair D. Jones

01:15:49 **Vote:** Motion failed 1-6 by roll call vote with Rep. Burnett voting aye.

SCHOOL FOR THE DEAF AND BLIND

01:15:58 **Motion/Vote:** Vice Chair L. Jones moved that **DP 5 - STUDENT TRAVEL RESTRICTED/OTO BE ADOPTED**. Motion carried 6-1 by voice vote with Rep. Burnett voting no.

01:18:01 Vice Chair L. Jones

01:18:30 **Motion/Vote:** Vice Chair L. Jones moved that **DP 6 - EXTRA-CURRICULAR STIPENDS RESTRICTED/OTO BE ADOPTED**. Motion carried 6-1 by voice vote with Rep. Burnett voting no.

01:18:50 Vice Chair L. Jones

01:19:05 **Motion/Vote:** Vice Chair L. Jones moved that **DP 7 - AGENCY FUND SWITCH BE ADOPTED**. Motion carried unanimously by voice vote.

01:19:18 Vice Chair L. Jones

MONTANA ARTS COUNCIL

01:20:42 **Motion:** Rep. Burnett moved that **DP 60 - PERSONAL SERVICES AND FTE ADJUSTMENT OF \$50,000 PER YEAR BE ADOPTED**.

Discussion:

01:21:35 Vice Chair L. Jones
01:22:35 Rep. Hamlett

01:23:12 **Vote:** Motion failed 3-4 by roll call vote with Rep. Burnett, Sen. Gauthier and Chair D. Jones voting aye.

MONTANA STATE LIBRARY

01:23:46 **Motion/Vote:** Vice Chair L. Jones moved that **DP 4 - LSTA GRANTS - BIEN AS LISTED \$622,468 IN EACH YEAR FEDERAL STATE SPECIAL REVENUE BE ADOPTED**. Motion carried unanimously by voice vote.

01:24:21 **Motion:** Vice Chair L. Jones moved that **DP 5 - COST ADJUSTMENTS TO THE GENERAL FUND AS LISTED \$8,554 PER YEAR BE ADOPTED**.

Discussion:

01:24:37 Shauna Albrecht, LFD
01:24:43 Robert Miller, LFD

01:25:15 Nancy Hall, OBPP
[EXHIBIT\(jeh34a09\)](#)

01:25:43 **Vote:** Motion carried unanimously by voice vote.

01:25:54 **Motion/Vote:** Vice Chair L. Jones moved that **DP 9 - BALANCE COAL TAX SHARED ACCOUNT FOR AMOUNTS LISTED BE ADOPTED.** Motion carried unanimously by voice vote.

01:27:04 **Motion/Vote:** Vice Chair L. Jones moved that **DP 53 - STATE WIDE PRESENT LAW FIXED COST REDUCTION AS LISTED IN THIS SECTION BE ADOPTED.** Motion carried unanimously by voice vote.

01:27:59 Rep. Burnett

01:29:13 **Motion:** Rep. Burnett moved that **DP 60 - PERSONAL SERVICES AND FTE ADJUSTMENT BE ADOPTED.**

Discussion:

01:29:15 Vice Chair L. Jones

01:30:38 Rep. Hamlett

01:31:11 Rep. Woods

01:31:46 **Vote:** Motion failed 1-6 by roll call vote with Rep. Burnett voting aye.

MONTANA HISTORICAL SOCIETY

01:31:59 **Motion:** Vice Chair L. Jones moved that **DP 5 - STATUTORY FTE AND FUNDING AS LISTED \$79,342 IN EACH YEAR BE ADOPTED.**

Discussion:

01:32:29 Rep. Woods

01:32:55 Rep. Hamlett

01:33:21 Sen. Whitford

01:33:49 **Vote:** Motion carried unanimously by voice vote.

01:33:59 **Motion/Vote:** Vice Chair L. Jones moved that **DP 40 - STATE SPECIAL REVENUE APPROPRIATION \$37,498 PER YEAR BE ADOPTED.** Motion carried unanimously by voice vote.

01:34:20 Vice Chair L. Jones

01:34:50 **Motion:** Sen. Gauthier moved that **DP 511 - ADDITIONAL 2 PERCENT VACANCY SAVINGS ASSOCIATED WITH THE NON GENERAL FUND BE ADOPTED.**

01:35:03 Robert Miller, LFD

01:35:30 Rep. Burnett

01:35:45 Vice Chair L. Jones

01:36:30 Chair D. Jones

01:36:46 **Motion/Vote:** Sen. Gauthier amended his motion **TO CHANGE TITLE TO RESTORE 2 PERCENT VACANCY SAVINGS ASSOCIATED WITH THE NON GENERAL FUND REDUCTIONS.** Motion carried unanimously by voice vote.

01:37:35 **Vote:** Motion as amended carried unanimously by voice vote.

01:37:49 Vice Chair L. Jones

01:37:56 **Motion:** Rep. Burnett moved that **DP 60 - PERSONAL SERVICES AND FTE ADJUSTMENT BE ADOPTED.**

Discussion:

01:38:11 Rep. Burnett

01:39:39 Vice Chair L. Jones

01:40:49 Rep. Woods

01:40:57 **Vote:** Motion failed 2-5 by roll call vote with Rep. Burnett and Chair D. Jones voting aye.

01:41:37 Vice Chair L. Jones

01:41:57 **Motion/Vote:** Sen. Gauthier moved that **DP 511 IN PROGRAM 6 AND DP 511 IN PROGRAM 4 BE ADOPTED.** Motion carried unanimously by voice vote.

01:42:31 Vice Chair L. Jones

01:43:25 **Motion:** Vice Chair L. Jones moved that **THE LANGUAGE AMENDMENT AS LISTED ON PAGE FOR MOTION 2 BE ADOPTED.**

EXHIBIT(jeh34a10)

Discussion:

01:43:41 Christine Hultin-Brus, OBPP

01:44:09 Vice Chair L. Jones

01:45:30 Shauna Albrecht, LFD

01:46:17 **Vote:** Motion carried unanimously by voice vote.

OFFICE OF PUBLIC INSTRUCTION

01:46:31 Vice Chair Jones

01:47:03 Chair D. Jones

01:47:07 Vice Chair L. Jones

01:48:00 **Motion:** Vice Chair L. Jones moved that **DP 928 - COUNTY SCHOOL TRANSPORTATION BLOCK GRANTS BE ADOPTED.**

Discussion:

01:48:03 Nancy Hall, OBPP

01:48:29 Vice Chair L. Jones

01:48:39 **Vote:** Motion carried unanimously by voice vote.

01:48:54 Recess

02:03:25 Reconvene

02:03:32 Vice Chair L. Jones

02:04:13 **Motion/Vote:** Vice Chair L. Jones moved to **CREATE A COMPANION BILL TO BECOME THE VEHICLE FOR DEALING WITH STATUTORY CHANGES REQUIRED IN SECTION E.** Motion carried unanimously by voice vote.

02:05:55 Vice Chair L. Jones

02:06:35 Chair D. Jones

02:06:47 Clayton Christian, OCHE

EXHIBIT(jeh34a11)

02:07:48 Vice Chair L. Jones

02:08:11 Clayton Christian, OCHE

02:08:21 Chair D. Jones

02:08:26 Vice Chair L. Jones

02:08:58 Clayton Christian, OCHE

02:09:42 Chair. D. Jones

02:09:46 Rep. Burnett

02:11:11 Vice Chair L. Jones

02:12:44 Clayton Christian, OCHE

02:14:08 Chair D. Jones

02:15:18 Clayton Christian, OCHE

02:15:52 Chair D. Jones

02:16:13 Vice Chair L. Jones

02:16:50 Chair D. Jones

02:16:54 Rep. Burnett

02:17:03 Vice Chair L. Jones

02:17:35 Chair D. Jones

ADJOURNMENT

Adjournment: 02:18:06

Abigail Konen, Secretary

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Additional Documents:

EXHIBIT([jeh34aad.pdf](#))